

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

| | | |
|-------------------------------------|---|-------------------------------|
| THE ROBBINS COMPANY, |) | CASE NO. 1:06 CV 360 |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | JUDGE DONALD C. NUGENT |
| |) | |
| GEORGIA DUCK CORDAGE |) | |
| MILL CORP., (a/k/a or n/k/a, Fenner |) | |
| Dunlop (Atlanta), Inc.), et al., |) | |
| |) | |
| Respondent. |) | <u>MEMORANDUM OPINION AND</u> |
| | | <u>ORDER</u> |

On March 16, 2007, the Parties to this action filed a Joint Submission Concerning Privilege Issues, seeking to resolve a discovery dispute relative to approximately 50 documents, agreed to be relevant. Plaintiff, the Robbins Company, has withheld said documents on the basis of attorney-client privilege, attorney work product, and/or joint defense/joint prosecution/common interest privilege. The Parties have asked the Court to conduct an in camera review to determine whether the documents are protected from production. Having reviewed all of the documents at issue, the Court finds that the following documents, or portions of documents, are protected by the work product doctrine or are otherwise privileged and need not be turned over to Defendant. Any documents not listed must be turned over to Defendant.

Documents:

- March 1, 2005 E-Mail from Joe Roby to Dean Workman
- April 28, 2005 E-Mail from Cindy Borton to Dean Workman
- April 28, 2005 E-Mail from Dean Workman to Cindy Borton; Lok Home
- April 28, 2005 E-Mail from Lok Home to Dean Workman
- May 3, 2005 E-Mail from Cindy Borton to Dawn Brown; Georgeann Allen
- May 13, 2005 E-Mail from Lok Home to Joe Roby; Dean Workman
- May 13, 2005 Letter from Lok Home to Ian Frank of Frantz Ward LLC and attachments.

(The Court views the letter and attachments to attorneys at Frantz Ward as a single communication between Plaintiff and attorney and is not making a privilege determination as to each separate attachment to the letter.)

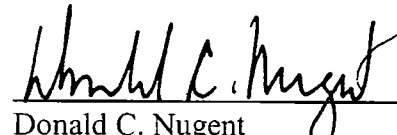
- December 6, 2005 E-mail from Dean Workman to Joe Roby
- December 6, 2005 E-Mail from Joe Roby to Dean Workman

Redactions:

- March 9, 2005 E-Mail from Dean Workman to Joe Roby (TRC023149 only)
- March 9, 2005 E-Mail from Dean Workman to Lok Home (TRC023153 only)
- March 9, 2005 E-Mail from Lok Home to Dean Workman (TRC023157 only)
- March 9, 2005 E-Mail from Lok Home to Dean Workman (TRC023196-TRC023197 only)
- April 2, 2005 E-Mail from Lok Home to Joe Roby (TRC41365)
- June 3, 2005 E-Mail from Joe Roby to Lok Home (TRC041786)
- November 4, 2005 E-Mail from Lok Home to Joe Roby; Dean Workman (TRC043175)
- November 4, 2005 E-Mail from Dean Workman to Lok Home; Joe Roby (TRC043179)
- February 9, 2005 Handwritten Notes of Joe Roby (TRC056105)
- February 10, 2005 Handwritten Notes of Joe Roby (TRC056109)
- February 10, 2005 Handwritten Notes of Joe Roby (TRC056110)
- July 14, 2005 Handwritten Notes of Joe Roby (TRC056112)

IT IS SO ORDERED.

Date: April 11, 2007


Donald C. Nugent
United States District Judge